

§ 116-239.10. Employees.

The chancellor shall appoint all licensed and nonlicensed staff in accordance with the following:

- (1) Principal. – The constituent institution shall employ and contract with a principal for a term not to exceed three years. The principal shall meet the requirements for licensure set out in G.S. 115C-284, unless waived, upon the recommendation of the Superintendent of Public Instruction, by the State Board of Education upon submission of a request by the chancellor that is approved by the Subcommittee. The principal shall be responsible for school operations and shall exercise those duties and powers delegated by the chancellor.
- (2) Faculty members. – Faculty members may serve simultaneously as instructional personnel for the laboratory school and a constituent institution.
- (3) Teachers. – The constituent institution shall employ and contract with necessary teachers to perform the particular service for which they are employed in the school. At least fifty percent (50%) of teachers employed by the constituent institution shall hold teacher licenses, unless waived, upon the recommendation of the Superintendent of Public Instruction, by the State Board of Education upon submission of a request by the chancellor that is approved by the Subcommittee.
- (4) Leave of absence from local school administrative unit. – If a teacher employed by a local school administrative unit makes a written request for a leave of absence to teach at the laboratory school, the local school administrative unit shall grant the leave for one year. For the initial year of the laboratory school's operation, the local school administrative unit may require that the request for a leave of absence be made up to 45 days before the teacher would otherwise have to report for duty. After the initial year of the laboratory school's operation, the local school administrative unit may require that the request for a leave of absence be made up to 90 days before the teacher would otherwise have to report for duty. A local board of education is not required to grant a request for a leave of absence or a request to extend or renew a leave of absence for a teacher who previously has received a leave of absence from that local board under this subdivision. A teacher who has received a leave of absence to teach at a laboratory school may return to a public school in the local school administrative unit at the end of the leave of absence or upon the end of employment at the laboratory school if an appropriate position is available. If a teacher has career status under G.S. 115C-325 prior to receiving a leave of absence to teach at the laboratory school, the teacher may return to a public school in the local school administrative unit with career status at the end of the leave of absence or upon the end of employment at the laboratory school if an appropriate position is available. If an appropriate position is unavailable, the teacher's name shall be placed on a list of available teachers in accordance with G.S. 115C-325(e)(2).
- (5) Nonlicensed employees. – The constituent institution also may employ necessary employees who are not required to hold teacher licenses to perform duties other than teaching and may contract for other services.
- (6) Employment dismissal. – An employee of the constituent institution is not an employee of the local school administrative unit in which the laboratory

school is located. The constituent institution may discharge licensed and nonlicensed employees according to the terms of the employment contract.

- (7) Employee benefits. – Employees of the constituent institution who work in laboratory schools shall be considered State employees and shall participate in the Teachers' and State Employees' Retirement System and the State Health Plan on the same terms as other State employees employed by the constituent institution.
- (8) Exemptions. – Employees of the constituent institution shall be exempt from Chapter 126 of the General Statutes, except Articles 6 and 7. (2016-94, s. 11.6(a); 2017-117, s. 1; 2017-157, s. 2(j).)